

Minutes of the Tobacco Education and Research Oversight Committee (TEROC)

MARCH 4, 2002 MEETING

Westin Los Angeles Airport Hotel
5400 West Century Boulevard
Los Angeles, CA 90045

MEMBERS PRESENT:

Bruce Allen
Ron Arias
Stella Aguinaga-Bialous (present via speaker-phone hookup)
Lourdes Baézconde-Garbanati
Theresa Boschert
Gregory Franklin
Susanne Hildebrand-Zanki
Kirk Kleinschmidt
Rod Lew
Cheryl Raney
Dorothy Rice

MEMBERS ABSENT:

Alan Henderson

VACANCIES (APPOINTING AUTHORITY)

Target Population Group Representative (Governor)

OTHERS IN ATTENDANCE:

Diana Bontá, Director, Department of Health Services (DHS)
Tess Cruz, Tobacco Industry Monitoring Evaluation Project, University of Southern California
Laura Eastman, Ground Zero Advertising
Larry Gruder, Director, Special Research Projects, University of California
Silvia Koik, Ventura County Office of Education
Susana Hennessey Lavery, San Francisco Department of Public Health
Jon Lloyd, Chief, Data Analysis and Evaluation Unit, Tobacco Control Section (TCS), DHS
Peter Mackler, Southern California Policy Liaison, Office of the Director, DHS
Cassandra Malry, Consultant, Office of the Director, DHS
Sharon Muraoka, American Cancer Society (ACS)
Tony Najera, Consultant, Office of the Director, DHS
Greg Oliva, TCS, DHS
April Roeseler, Chief, Local Programs and Evaluation, TCS, DHS
Meredith Rolfe, Healthy Kids Program Office, CDE
Marisol Romero, Hispanic/Latino Tobacco Education Network
Bill Ruppert, TCS, DHS
Bob Sands, California Department of Finance

Robin Shimizu, Assistant Section Chief, TCS, DHS
Mele Lau Smith, San Francisco Department of Public Health
Colleen Stevens, Chief, Media Unit, TCS, DHS

1. WELCOME, INTRODUCTIONS, AND OPENING COMMENTS

The Chairperson, Mr. Kirk Kleinschmidt, called the meeting to order at 9:35 a.m. Each of the Committee members introduced themselves. Members of the audience also introduced themselves and identified their affiliation. The Chairperson pointed out that Dr. Aguinaga-Bialous was participating in the meeting through the speaker telephone.

2. APPROVAL OF MINUTES, REVIEW OF CORRESPONDENCE AND ANNOUNCEMENTS

The minutes of the December 3, 2001, meeting were approved as written.

The Chairperson announced that the National Tobacco Conference will be held in San Francisco in November 2002, and that TEROC's role in the conference would be discussed later in the meeting.

Correspondence since last meeting: Letters were sent to the Department of Finance (DOF) regarding the fiscal year (FY) 2002-03 budget and to the Departments of Education (CDE) and Health Services (DHS) requesting material for the Master Plan. No responses have been received yet. CDE said their response is in the mail, and DHS said their response was still being completed.

The Chairperson introduced Dr. Bontá, Director, DHS. She said that the Governor is adamant about protecting the funds for the tobacco control program in the budget. She said she is pleased that the National Tobacco Conference will be in San Francisco in November 2002, and that she would be happy to speak at the conference opening. In response to the concern regarding the effect of the current hiring freeze on staff support to TEROC, especially during the development of the new Master Plan, she asked the committee as well as support staff to inform her immediately if difficulties are encountered. She noted that the economic recession and the bio-terrorism issue have necessitated some hard decisions.

3. LEGISLATION AND BUDGET UPDATE

It was announced that the voluntary agencies and other constituency groups had been working to protect funding for the Proposition 99 (Prop 99) programs in the current year and are doing so now for the budget year 2002-03. Several tobacco related bills pending in the California Legislature were reviewed for the Committee (see enclosed list).

There was discussion of Assembly Bill 2353 (Assemblywoman Migden), which would authorize securitization of a portion of future Master Settlement Agreement (MSA) payments (bonds secured by future MSA payments would be issued to raise an estimated \$2.4 billion in 2002-03). A copy of the Legislative Analyst Office (LAO) analysis of securitization was passed out (see enclosed copy). Concerns were expressed that securitization may add unnecessary risk to future potential resources for tobacco control. After members reviewed

the LAO analysis and discussed the issue, it was agreed to wait until more was known before taking a formal position.

A list of the authors and sponsors of the federal bills House Representative (HR) 1043 and HR 1093 was passed out (see enclosed copy). These bills would require the Food and Drug Administration (FDA) to regulate tobacco products. Twenty-four California members of Congress are sponsors of these bills. The American Heart Association and the American Cancer Society support the bills.

DHS disseminated and explained a sheet with tables showing the State budget for FYs 1999-00, 2000-01, 2001-02 and the Governor's proposed budget for FY 2002-03, for the Health Education Account, MSA Funds, and the Research Account (see enclosed copy). Emphasis was placed on the amount of MSA Funds (\$35 million) proposed for FY 2002-03. The Chairperson stated that the LAO has recommended reducing to \$14 million the amount from the MSA fund for tobacco control for FY 2002-03. The Chairperson suggested sending letters supporting the Governor's proposed \$35 million. A motion was made, seconded, and approved that TEROC send a letter to the Administration in support of the proposed appropriation of \$35 million from the MSA fund to the Tobacco Control Program in the FY 2002-03 budget.

4. UPDATE ON MASTER PLAN WORKGROUP

The Master Plan workgroup met on January 24, 2002. They completed a timeline for the Master Plan, developed initial recommendations, and set an agenda for the March 5, 2002, workgroup meeting. There will be six constituent "town-hall" meetings across the state (in Redding, Sacramento, Fresno, San Francisco, Los Angeles, and San Diego) during the June 10-21, 2002, period to receive input for the new Master Plan.

5. PROGRAM REPORTS BY AGENCIES (Each agency sent a written report to TEROC before the meeting and responded to questions at the meeting.)

5a. University of California (UC) Tobacco Related Disease Research Program (TRDRP) Report. There was discussion of the status of UC's policy on providing Prop 99 funding to research investigators who also receive funds from the tobacco industry. UC explained that TRDRP's Scientific Advisory Committee had recommended that investigators who receive tobacco industry funds should be excluded from receipt of Prop 99 funds, but that the university-wide policy does not allow such investigators to be excluded from eligibility for Prop 99 research grants. A question arose as to TEROC's role in advising TRDRP given the existence of this other advisory group. UC explained that the TRDRP Scientific Advisory Committee provides scientific guidance while TEROC has the broader scope of advising on general policy, general program direction, and budget matters (as opposed to day-to-day operations).

UC will provide TEROC members with the minutes of the last TRDRP Scientific Advisory Committee meeting.

- 5b.** CDE Program Report. CDE presented an overview of the California Healthy Kids Program, with tobacco education being one of a number of topics in the program (see enclosed copy). The focus was on the Principles of Effectiveness: needs assessment, performance indicators, using research-based programs, and evaluation. CDE stated that the staff level is now down by 50 percent and the hiring freeze prevents hiring.
- 5c.** DHS Program Report. There was discussion of the role of TCS work groups and also the release of the report on Wave III of the Independent Evaluation. The Wave III report is expected to be out in approximately two months. DHS reviewed the list (provided in response to a TERO request) of media campaign advertisements showing dates approved, ad names, strategy, target audiences, and mediums. DHS also played some new 2002 TV and radio ads for the Committee. In response to a question, DHS reported that the approval process moves more smoothly than before, but the Committee needs to know that the approval at various levels at the various stages of ad development takes time.

6. TOBACCO INDUSTRY MONITORING EVALUATION (TIME)

Dr. Tess Cruz of the University of Southern California described the monitoring of the tobacco industry advertisements and promotions. She explained that there has been a decline in tobacco industry print ads but a continuing increase in promotions in bars. She noted that the industry is focusing on the 18 to 24 year-old age group, and using promotional events in bars, among other strategies, to reach young adults. Although at this time there are no indications of increased initiation of smoking among 18-to 24 year-olds, there is a high percentage of occasional smokers in this age group and they are vulnerable to becoming regular smokers.

7. FRAMEWORK CONVENTION AND TRANSNATIONAL ISSUES

Susanna Hennessey Lavery and Mele Lau Smith of the San Francisco Health Department presented information on the Framework Convention for Tobacco Control, a proposed global treaty to regulate tobacco marketing and use throughout the world. Currently about 3.5 million people around the world die annually from tobacco related causes and that number will rise to approximately 10 million in 25 years. The proposed treaty, which the U.S. delegation currently does not support, would ban all tobacco advertising, prohibit use of deceptive terms like "light" and "mild," prohibit tax-free and duty-free sales of cigarettes, impose tax on all tobacco products, encourage governments to protect non-smokers by banning smoking in workplaces and public buildings, and license tobacco retailers.

After discussion, Committee members decided to appoint a subcommittee to develop a letter encouraging support of strong measures in the Framework Convention, to send, after Committee approval, to President Bush, the Secretary of Health and Human Services, and the U.S. delegates.

8. OTHER BUSINESS AND NEXT MEETING DATES

National Tobacco Conference: TEROC agreed that Drs. Lourdes Baezconde-Garbanati and Bruce Allen would work with Committee staff and other members to submit an abstract before the deadline for a presentation at the National Tobacco Conference in San Francisco in November 2002. The Chairperson will review the abstract before it is submitted.

The dates for the next two regular TEROC meetings are:
May 22, 2002, Sacramento, CA
September 9, 2002, Oakland, CA

9. PUBLIC QUESTIONS AND COMMENTS

A representative from the Ventura County Tobacco Use Prevention and Education program expressed concern regarding the multiple classroom-administered surveys and the difficulty schools are having trying to accommodate these.

THE MEETING WAS ADJOURNED AT 5 p.m.

ACTION ITEMS

1. UC to send TEROC the minutes from the last TRDRP Scientific Advisory Committee meeting.
2. TEROC to send a letter to Governor Davis and to DOF expressing its support for the proposed appropriation of \$35 million from MSA fund for FY 2002-03 for the Tobacco Control Program.
3. TEROC to send an abstract to the National Tobacco Conference planning committee for a presentation to be given in November.
4. TEROC to send a letter to President Bush, the Secretary of Health and Human Services, and the U.S. delegates to the Framework Convention supporting an amended resolution to restrict tobacco globalization.
5. TEROC to follow up to get responses to prior letters to DHS, CDE, and DOF.

ENCLOSURES

California Tobacco Related Legislative Bills
LAO – Analysis of the 2002-03 Budget Bill
Congressional Support for FDA Regulation of Tobacco Products
2002-03 Governor's Proposed Budget
CDE Healthy Kids Program Description Overheads